

Carlos Hernández
Mayor

Isis Garcia-Martinez
Council President

Luis González
Council Vice President



Council Members
Jose F. Caragol
Vivian Casáls-Muñoz
Katharine E. Cue-Fuente
Paul B. Hernández
Lourdes Lozano

City Council Summary Agenda September 24, 2013 7:00 P.M.

Call to Order - **Council President Garcia-Martinez called the meeting to order at 7:07 p.m.**

Roll Call of Council Members – **All Council Members present.**

Invocation given by Acting City Clerk, Marbelys Fatjo

- **Also present were:**
 - **Carlos Hernandez, Mayor**
 - **William Grodnick, City Attorney**
 - **Marbelys Fatjo, Acting City Clerk**

Invocation given by Acting City Clerk, Marbelys Fatjo

Pledge of Allegiance led by Councilman Jose F. Caragol

Meeting Guidelines

The following guidelines have been established by the City Council:

- **ALL LOBBYISTS MUST REGISTER WITH THE CITY CLERK**
- As a courtesy to others, please refrain from using cellular telephones or other similar electronic devices in the Council Chamber.
- A maximum of three (3) speakers in favor and three (3) speakers in opposition will be allowed to address the Council on any one item. Each speaker's comments will be limited to three (3) minutes.
- No signs or placards, in support of or in opposition to an item or speaker, shall be permitted within the Council Chamber.
- Members of the public may address the City Council on any item pertaining to City business during the Comments and Questions portion of the meeting. A member of the public is limited to one appearance before the City Council and the speaker's comments will be limited to three (3) minutes.

Presentations

- (1) The Mayor proclaims September 24, 2013 as Agency for Persons with Disabilities Day. **PRESENTED. Evelyn Alvarez accepted the proclamation on behalf of Agency.**
1. Announcement of Amendments/Corrections to the Agenda –**Documents in support of item X, and a request from the applicant to table item PZ 6 until October 8, 2013 were placed on the dais for review. Items III, JJJ, KKK and LLL were added to the agenda. Items H and I were rephrased as provided in this Summary Agenda.**
2. Consent Agenda – **Councilwoman Casals-Muñoz removed item CC from the Consent Agenda for separate discussion.**

Motion to Approve the Consent Agenda, except item CC, made by Councilwoman Cue-Fuente and seconded by Councilman Caragol. MOTION PASSED (7-0).

- A. Request permission to issue a purchase order to Carrier Corporation, since it is advantageous to the City due to time constraints for emergency repairs, to purchase a 55-ton chiller along with a one year warranty and start-up directly from the manufacturer as an exact replacement to replace the deteriorated chiller at the Police Administration Building, for a total cumulative amount not to exceed \$29,146. (CONSTRUCTION AND MAINTANENCE DEPT.) **APPROVED (7-0)**
- B. Request permission to increase purchase order # 2013-2853, since it is advantageous to the City, issued to FWC Metal Works LLC, to purchase aluminum covers and supports for four (4) air conditioning units, for the 72-Unit Elderly Housing Project, by an additional amount of \$1,800, for a new total cumulative amount not to exceed \$18,100. (CONSTRUCTION AND MAINTANENCE DEPT.) **APPROVED (7-0)**
- C. Request permission to increase purchase order # 2013-859, since it is advantageous to the City, issued to Overland Carriers Incorporated, to purchase fill material, for the 72-Unit Elderly Housing Project, by an additional amount of \$10,000, for a new total cumulative amount not to exceed \$25,000. (CONSTRUCTION AND MAINTANENCE DEPT.) **APPROVED (7-0)**
- D. Proposed resolution authorizing the Mayor or his designee on behalf of the City of Hialeah, Florida to enter in an agreement with Franco Government Relations, Inc., in the total amount of \$50,000.00, payable in equal monthly installments of \$4,166.67 as provided by agreement, for one year, commencing on July 1, 2013 and ending on June 30, 2014, to assist the City in identifying and securing additional federal resources, in a form acceptable to the City Attorney. (DEPT. OF GRANTS AND HUMAN SERVICES) **APPROVED (7-0) RESOLUTION NO. 2013-94**
- E. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Florida Power Technologies, Inc., for a preventative maintenance contract from October 1, 2013 to September 30, 2014 for four (4) UPS Battery Systems with two (2) visits per year, for a total cumulative amount not to exceed \$52,560. (FIRE DEPT.) **APPROVED (7-0)**
- F. Proposed resolution exercising its option to renew the Support and Maintenance Services Agreement for the City 800 MHz Simulcast Radio Communication System with

Motorola, Inc., a Delaware corporation, for a term of one year, commencing on October 1, 2013 and ending on September 30, 2014, in an annual amount not to exceed \$295,721.16, payable in equal monthly installments, and further authorizing the Mayor and the City Clerk, on behalf of the City, to negotiate and enter into a Support and Maintenance Agreement with Motorola, Inc., in a form acceptable to the City attorney. (FIRE DEPT.) **APPROVED (7-0) RESOLUTION NO. 2013-95**

- G. Request permission to increase purchase order # 2013-279, since it is advantageous to the City, issued to American Battery Company, to purchase batteries for City vehicles, by an additional amount of \$5,000, for a new total cumulative amount not to exceed \$55,000. (FLEET MAINTENANCE DEPT.) **APPROVED (7-0)**
- H. *Request permission to fund the first six months of the second year of a 3 year agreement already approved by the City Council*, and issue a purchase order to Mansfield Oil Company of Gainesville, Inc., a local dealer, to purchase gasoline and diesel fuel for City vehicles, for a total cumulative amount not exceed \$950,000. (FLEET MAINTENANCE DEPT.) **APPROVED (7-0)**
- I. *Request permission to fund the first six months of the second year of a 3 year agreement already approved by the City Council*, and issue a purchase order to Macmillan Oil Company of Florida Inc, a local dealer, to purchase gasoline and diesel fuel for City vehicles, for a total cumulative amount not exceed \$950,000.00. (FLEET MAINTENANCE DEPT.) **APPROVED (7-0)**
- J. Request permission to waive competitive bids, since it is advantageous to the City, and issue a purchase order to Gus Machado Ford, Inc., a local dealer, to purchase automotive replacement Ford parts at cost plus 8% for City vehicles, for a total cumulative amount not exceed \$30,000. (FLEET MAINTENANCE DEPT.) **APPROVED (7-0)**
- K. Request permission to utilize Miami Dade County Bid #5745-2/14-2, and issue a purchase order to Florida Transportation Systems, Inc., to purchase Blue Bird parts for the City's Blue Bird buses, for a total cumulative amount not exceed \$25,000. (FLEET MAINTENANCE DEPT.) **APPROVED (7-0)**
- L. Request permission to utilize Miami Dade County Bid #1070-5/14-4, and issue a purchase order to Auto Plus, Inc., to purchase Ford and AC Delco parts, for a total cumulative amount not to exceed \$50,000. (FLEET MAINTENANCE DEPT.) **APPROVED (7-0)**
- M. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Barnes Group Inc., to purchase hardware supplies, for a total cumulative amount not exceed \$20,000. (FLEET MAINTENANCE DEPT.) **APPROVED (7-0)**
- N. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to American Battery Company, to purchase automotive batteries for City vehicles and trucks, for a total cumulative amount not exceed \$30,000. (FLEET MAINTENANCE DEPT.) **APPROVED (7-0)**

- O. Request permission to utilize State of Florida Contract #863-000-10-1, a competitively bid governmental contract, and issue a purchase order to Wingfoot Commercial Tire Systems, LLC, a Goodyear Tire and Rubber Company dealer, to purchase new tires for vehicles assigned to Public Works, Fire Department, and Water and Sewer, for a total cumulative amount not exceed \$100,000. (FLEET MAINTENANCE DEPT.) **APPROVED (7-0)**
- P. Request permission to waive competitive bids, since it is advantageous to the City, and issue a purchase order to Tropic Oil Company, a local dealer, to purchase oil and lubricants for City vehicles, for a total cumulative amount not exceed \$50,000. (FLEET MAINTENANCE DEPT.) **APPROVED (7-0)**
- Q. Request permission to waive competitive bids, since it is advantageous to the City, and issue a purchase order to Tranny Tech Inc., for repairs of transmissions on all City vehicles, for a total cumulative amount not exceed \$30,000. (FLEET MAINTENANCE DEPT.) **APPROVED (7-0)**
- R. Request permission to utilize Miami Dade County Bid #5745-2/14-2, and issue a purchase order to Total Truck Parts, Inc., to purchase aftermarket Original Equipment Manufacturer parts for City's trucks and buses, for a total cumulative amount not exceed \$60,000. (FLEET MAINTENANCE DEPT.) **APPROVED (7-0)**
- S. Request permission to waive competitive bids, since it is advantageous to the City, and issue a purchase order to Rechten International Trucks, Inc., a local dealer, to purchase truck parts and accessories for City trucks, for a total cumulative amount not exceed \$40,000. (FLEET MAINTENANCE DEPT.) **APPROVED (7-0)**
- T. Request permission to waive competitive bids, since it is advantageous to the City, and issue a purchase order to Power Truck Repair, Inc, for City truck service and repairs, for a total cumulative amount not exceed \$25,000. (FLEET MAINTENANCE DEPT.) **APPROVED (7-0)**
- U. Request permission to waive competitive bids, since it is advantageous to the City, and issue a purchase order to Palmetto Ford Truck Sales, Inc., a local dealer, to purchase Ford and Sterling truck parts for City vehicles, for a total cumulative amount not exceed \$25,000. (FLEET MAINTENANCE DEPT.) **APPROVED (7-0)**
- V. Request permission to increase purchase order # 2013-675, since it is advantageous to the City, issued to Rechten International Trucks, Inc., to purchase truck parts and accessories for City trucks, by an additional amount of \$10,000, for a new total cumulative amount not to exceed \$95,000. (FLEET MAINTENANCE DEPT.) **APPROVED (7-0)**
- W. Request permission to increase purchase order # 2013-676, since it is advantageous to the City, issued to Total Truck Parts, Inc., to purchase aftermarket Original Equipment Manufacturer parts for City's trucks and buses, by an additional amount of \$ 15,000, for a total cumulative amount not exceed \$115,000. (FLEET MAINTENANCE DEPT.) **APPROVED (7-0)**

- X. Request authorization to renew maintenance and support for Symantec Enterprise Vault and Backup Exec for a total of two years with PCMG Inc., lowest responsive bidder, since it is advantageous to the City, for a total cumulative amount not to exceed \$ 39,500, for maintenance and support through September 27, 2015. (INFORMATION TECHNOLOGY DEPT.) **APPROVED (7-0)**
- Y. Request permission to issue a purchase order to the law firm of Hawkins, Delafield & Wood, LLP, for anticipated costs to be paid in connection with legal representation for the design/construction/operation of the Reverse Osmosis Water Treatment Plant, including, but not limited to, post-contract issues that have arisen during the completion of the construction phase of the Reverse Osmosis Water Treatment Plant, for a total cumulative amount not to exceed \$63,000. (LAW DEPT.) **APPROVED (7-0)**
- Z. Request permission to issue a purchase order to SirsiDynix d/b/a Sirsi Corporation, sole source vender, for maintenance, support and upgrades of the Unicorn software system and related Director's Station reporting subscription, for a total cumulative amount not to exceed \$34,544.32. (LIBRARY DIV.) **APPROVED (7-0)**
- AA. Request permission to issue a purchase order to West Group Government Services, sole source vendor, for a one (1) year subscription to CLEAR Investigator to assist in locating and linking victims, witnesses and subjects in preparing forfeiture cases and defenses for civil actions against the City and the police department, in the amount of \$18,541.20; further requesting permission to purchase the books, pamphlets, and hard bound books supplement in the amount of \$6,200, for a total cumulative cost not to exceed \$24,741.21. (POLICE DEPT.) **APPROVED (7-0)**
- BB. Request permission to issue a purchase order to AT&T Corp., for the Pawnshop Automated System, which assists detectives in linking stolen property to incidents occurring within the City, for a total cumulative amount not to exceed \$30,000 for the 2014 fiscal year. (POLICE DEPT.) **APPROVED (7-0)**
- CC. Request permission to waive competitive bidding, since it is advantageous to the City, and utilize Atrium Personnel, Inc. and Westaff of Broward, Inc., for temporary data entry personnel to process police reports in the police department's Records Management System, as well as assist in gathering vital data which is reported to the Florida Department of Law Enforcement, for a total cumulative amount not to exceed \$125,000. (POLICE DEPT.) **APPROVED (7-0)**

Motion to approve by made by Councilwoman Casáls-Muñoz and seconded by Councilwoman Cue-Fuente. MOTION PASSED (7-0).

- DD. Proposed resolution approving the expenditure totaling an amount not to exceed fifty four thousand and five hundred dollars (\$54,500) from the Law Enforcement Trust Fund – *Federal*, to purchase an upgrade to the Automated Fingerprint Identification System (AFIS) and for purchase of the AFIS Review Station Software from Morpho Trak, the sole source vendor, upon such costs have been approved by the Chief of Police. (POLICE DEPT.) **APPROVED (7-0) RESOLUTION NO. 2013-96**

- EE.** Request authorization to issue a purchase order to Florida Bullet Incorporated, sole source distributor, to purchase Speer brand law enforcement ammunition, for a total cumulative amount not to exceed \$30,000. (POLICE DEPT.) **APPROVED (7-0)**
- FF.** Request permission to waive competitive bids, since it is advantageous to the City, and issue a purchase order to Florida-Spectrum Environmental Services, Inc., to conduct water quality testing as needed for all of the City's Stage 2 By-Products Rule as mandated by the US Environmental Protection Agency, for work anticipated in the fiscal year 2013-2014, for a total cumulative amount not to exceed \$25,000. (WATER AND SEWERS DEPT.) **APPROVED (7-0)**
- GG.** Request permission to waive competitive bids, since it is advantageous to the City, and issue a purchase order to TS Staffing Services, Inc., for temporary staffing services used in the Accounting Section of the Department of Water & Sewers, for a total cumulative amount not to exceed \$75,000. (WATER AND SEWERS DEPT.) **APPROVED (7-0)**
- HH.** Request permission to issue a purchase order to the United States Postal Service, for postage meter mailing services in fiscal year 2013-2014, for the mailing of individual water, sewers, storm water, solid waste bills and other correspondence, for a total cumulative amount not to exceed \$25,000. (WATER AND SEWERS DEPT.) **APPROVED (7-0)**
- II.** Request permission to waive complete bidding, since it is advantageous to the City, and issue a purchase order to Oldcastle Precast, Inc., for the purchase of concrete meter boxes and covers for water meters, for a total cumulative amount not to exceed \$60,000. (WATER AND SEWERS DEPT.) **APPROVED (7-0)**
- JJ.** Request permission to award Hialeah Bid # 2012/13-9500-00-034, and enter into a contract with E & M Equipment Corp, for the construction of a culvert crossing at NW 170th Street and NW 107th Avenue to provide roadway access across and over the 170th Street canal to the recently acquired Graham property for the construction, operation and maintenance of four (4) production raw water wells to service the Reverse Osmosis Water Treatment Plant, for a total cumulative amount not to exceed \$315,685, which includes a contingency of \$30,000 to cover the cost of unknown field conditions during construction. (WATER AND SEWERS DEPT.) **APPROVED (7-0)**
- KK.** Request permission to issue a purchase order to Xylem Water Solutions U.S.A., Inc., sole source vendor in the State of Florida, for the repair, parts and/or replacement of FLYGT submersible pumps and attributes for the purpose of maintaining and operating sewer pump stations, for a total cumulative amount not to exceed \$150,000 for fiscal year 2013-2014. (WATER AND SEWERS DEPT.) **APPROVED (7-0)**
- LL.** Request permission to issue a purchase order to the United States Postal Service, for postage and mailing services in fiscal year 2013-2014, for the mailing of water, sewers, storm water and solid waste bills, for a total cumulative amount not to exceed \$ 268,000. (WATER AND SEWERS DEPT.) **APPROVED (7-0)**

- MM.** Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to All State Engineering and Testing Consultants, Inc., to conduct soils and materials testing as needed for the construction of the Graham Wells and related projects for the Reverse Osmosis Water Treatment Plant, for a total cumulative amount not to exceed \$15,000. (WATER AND SEWERS DEPT.) **APPROVED (7-0)**
- NN.** Request permission to reject bids from Enterprise Electrical and Solares Electrical to Hialeah Bid #2012/13-9500-00-033 as non-responsive (incomplete); further requesting permission to award Hialeah Bid #2012/13-9500-00-033 to Williams Paving Co., Inc., for the construction of pipelines, access roads and well pads for the Graham Wells at NW 170th Street and NW 107th Avenue in the recently acquired Graham property for the construction of four (4) production water wells to service the Reverse Osmosis Water Treatment Plant, for a total cumulative amount not to exceed \$2,506,484.94, which includes a contingency of \$230,000 to cover the cost of unknown field conditions during construction. (WATER AND SEWER DEPT.) **APPROVED (7-0)**
- OO.** Request permission to waive competitive bids, since it is advantageous to the City, and issue a purchase order to Florida-Spectrum Environmental Services, Inc., to conduct water quality testing as needed for all of the City's Stage 2 By-Products Rule as mandated by the US Environmental Protection Agency, for work anticipated in the fiscal year 2013-2014 as needed during the construction and testing of the Graham Wells to serve the Reverse Osmosis Water Treatment Plant, for a total cumulative amount not to exceed \$16,000. (WATER AND SEWERS DEPT.) **APPROVED (7-0)**
- PP.** Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to All State Engineering & Testing Consultants, Inc., to conduct soils and materials testing as needed for all of the City's water construction projects, in an amount not to exceed \$ 30,000 for work anticipated in fiscal year 2013-2014. (WATER AND SEWERS DEPT) **APPROVED (7-0)**
- QQ.** Request permission to increase the contract with E & M Equipment Corp, for the construction of several connections from the City's water distribution system to the City finished water line to the existing City water distribution system along West 80th Street, by an additional amount of \$13,760.69, since it is advantageous to the City, due to changes to the project requested by the design engineer as a result of unknown field conditions that resulted in a total increase to the contract of \$63,760.67 which was partially covered by the approved \$50,000 contingency amount, for a new total cumulative amount not to exceed \$444,930. (WATER AND SEWERS DEPT.) **APPROVED (7-0)**
- RR.** Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to AECOM Technical Services, Inc., which designed the Reverse Osmosis Water Treatment Plant, for services during the 3 phases of construction of the Graham Wells, for a total cumulative amount not to exceed \$86,667. (WATER AND SEWERS DEPT.) **APPROVED (7-0)**
- SS.** Request permission to issue a purchase order to Miami-Dade Water and Sewer Department, since it is advantageous to the City, for water quality analysis, to cover the cost of water quality laboratory testing through fiscal year 2013-2014, and to cover outstanding invoices,

for a total cumulative amount not to exceed \$35,000. (WATER AND SEWERS DEPT.) **APPROVED (7-0)**

- TT.** Request permission to waive competitive bids, since it is advantageous to the City due to the urgency of the work, and issue a purchase order to SRS Engineering, Inc., to update the Master Plan to provide engineering data to private developers in the area that require this data to complete their design of water and sewer systems in the annexed area, for a total cumulative amount not to exceed \$19,800. (WATER AND SEWERS DEPT.) **APPROVED (7-0)**
- UU.** Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to All State Engineering & Testing Consultants, Inc., to conduct soils and materials testing as needed for all of the City's sewer construction projects, for a total cumulative amount not to exceed \$30,000 for work anticipated in fiscal year 2013-2014. (WATER AND SEWERS DEPT.) **APPROVED (7-0)**
- VV.** Request permission to issue a purchase order to Sensus USA Inc., sole source supplier of the meters used by the department, to purchase water meters, for a total cumulative amount not to exceed \$55,000. (WATER AND SEWERS DEPT.) **APPROVED (7-0)**
- WW.** Request permission to issue a purchase order to Silva Management of Miami, Inc., for the maintenance of the department's administrative and customer service offices, for a total cumulative amount not to exceed \$34,000. (WATER AND SEWERS DEPT.) **APPROVED (7-0)**
- XX.** Request permission to waive competitive bids, since it is advantageous to the City, and issue a purchase order to Labor Ready Southeast, Inc., for the service of temporary day workers for the Solid Waste Department for a six month period, for a total cumulative amount not to exceed \$214,812. (WATER AND SEWERS DEPT.) **APPROVED (7-0)**
- YY.** Request permission to issue a purchase order to SRS Engineering, Inc., for engineering inspection services during the construction of sewers projects, for a total cumulative amount not to exceed \$75,000. (WATER AND SEWERS DEPT.) **APPROVED (7-0)**
- ZZ.** Request permission to waive competitive bidding, since it is advantageous to the City in that the vendor has satisfactorily provided the services to the City for the past years and are familiar with the City's after hours and emergency procedures, and issue a purchase order to Sunshine Communication Services, Inc., for emergency telephone answering service after regular hours, for services provided during fiscal year 2013-2014, for a total cumulative amount not to exceed \$24,000. (WATER AND SEWERS DEPT.) **APPROVED (7-0)**
- AAA.** Request permission to waive competitive bidding, since it is advantageous to the City due to the vendor's familiarity with the department's requirements in printing services, and issue a purchase order to Olmedo Printing Corporation, for the services of the printing of new bills and the annual Water Quality Report, for a total cumulative amount not to exceed \$25,000. (WATER AND SEWERS DEPT.) **APPROVED (7-0)**
- BBB.** Request permission to issue a purchase order to SRS Engineering, Inc., for engineering inspection services during the construction of water department projects, for a total

cumulative amount not to exceed \$75,000. (WATER AND SEWERS DEPT.) **APPROVED (7-0)**

- CCC.** Request permission to issue a purchase order to SRS Engineering, Inc., for engineering inspection services during the construction the Graham Wells project, for a total cumulative amount not to exceed \$37,977.35. (WATER AND SEWERS DEPT.) **APPROVED (7-0)**
- DDD.** Request permission to increase purchase order # 2013-2189, since it is advantageous to the City, issued to Link Construction Group, Inc., to cover the final costs of the reconstruction of the Department of Water and Sewers Administration Building project and to close out the contract, by an additional amount of \$2,944.86, for a total cumulative amount not to exceed \$2,010,037.80. (WATER AND SEWERS DEPT.) **APPROVED (7-0)**
- EEE.** Request permission to increase purchase order #2013-1049, since it is advantageous to the City, issued to Xylem Water Solutions U.S.A., Inc., for the repair, parts and/or replacement of FLYGT submersible pumps and attributes for the purpose of maintaining and operating department sewer pump stations, and to pay for outstanding invoices and future expenses, by an additional amount of \$25,000, for a total cumulative amount not to exceed \$100,000. (WATER AND SEWERS DEPT.) **APPROVED (7-0)**
- FFF.** Request from Eventus Marketing, for a street closure permit to hold the Latin Grammy Street Party on West 16 Avenue, from West 37 Street to West 42 Street, from midnight on Saturday, November 9, 2013 until midnight on Sunday, November 10, 2013. (OFFICE OF THE CITY CLERK) **APPROVED (7-0)**
- GGG.** Request from ABC Promotions Unlimited, Inc., for a Christmas Tree Sales Permit, to benefit the Hialeah Concerned Families, from November 15, 2013 through December 24, 2013, to be located at 1460 West 49 Street in front of the K-mart store. (OFFICE OF THE CITY CLERK) **APPROVED (7-0)**
- HHH.** Request permission to approve the appointment of Ines Beecher, Acting Director of the Office of Management and Budget, to the Insurance Committee. (RISK MANAGEMENT) **APPROVED (7-0)**
- III.** Request permission to utilize State of Florida Contract # 863-000-10-1, and issue a purchase order to Tiresoles of Broward, Inc. d/b/a Miami Tiresoles, to purchase tires and road call service on vehicles for Public Works, Fire Department, and Water and Sewer Department, for a total cumulative amount not to exceed \$100,000. (FLEET MAINTENANCE DEPT.) **APPROVED (7-0)**
- JJJ.** Request permission to utilize Miami Dade County Bid #8889-4/14-3, and issue a purchase order to Fedan Corp., to purchase recap tires for City vehicles, for a total cumulative amount not exceed \$75,000. (FLEET MAINTENANCE DEPT.) **APPROVED (7-0)**
- KKK.** Report of Scrivener's Error – Resolution No. 2013-86, approved by the City Council on September 10, 2013, Item T. The correct funding account number is 105.1000.521503 – Complex Investigations. (POLICE DEPT.) **APPROVED (7-0)**

LLL. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Windstream Nuvox, Inc., for a three year contract for internet service, for a total cumulative amount not to exceed \$43,200. (INFORMATION TECHNOLOGY DEPT.) **APPROVED (7-0)**

3. Second reading and public hearing of proposed ordinance authorizing the Mayor and the Acting City Clerk, as attesting witness, on behalf of the City, to enter into a lease agreement between the City, as landlord, and the University of Florida, Board of Trustees, and Miami-Dade County, Florida, as tenants, for use of 1,897 square feet of office space, rooms 102, 113 through 120 and a conference room, at the Blanche Morton Neighborhood Service Center, located at 300 East 1 Avenue, Hialeah, Florida, for a period of one year, commencing on December 1, 2013 and ending on November 30, 2014, for an annual amount of \$21,960.15, payable in equal monthly rental payments, in the form as attached hereto as Exhibit "1", with two successive annual renewals with a 5% rental increase for each year renewed; providing penalties for violation hereof; providing for a severability clause and providing for an effective date. (PURCHASING DIV.) **APPROVED (7-0) ORDINANCE NO. 2013-65**

Motion to approve made by Councilman Hernandez and seconded by Councilwoman Casals-Munoz. MOTION PASSED (7-0)

4. Second reading and public hearing of proposed ordinance authorizing the Mayor and the Acting City Clerk, as attesting witness, on behalf of the City, to enter into a lease agreement between the City, as landlord, and Family Aids Coalition, Inc., a Florida not-for-profit corporation, as tenant, for office space, room 112, within the Blanche Morton Neighborhood Center, located at 300 East 1 Avenue, Hialeah, Florida, for a period of one year, commencing on September 1, 2013 and ending on August 31, 2014, for an annual amount of \$1,458.61, payable in equal monthly base rental payments plus electric, utility and telephone charges, with two successive one-year renewals with a 5% annual rental increase for each year renewed, in the lease form as attached hereto and made a part hereof as Exhibit "1"; providing penalties for violation hereof; providing for a severability clause and providing for an effective date. (PURCHASING DIV.) **APPROVED (7-0) ORDINANCE NO. 2013-66**

Motion to approve made by Council Vice President Gonzalez and seconded by Councilwoman Casals-Muñoz. MOTION PASSED (7-0)

5. Second reading and public hearing of proposed ordinance authorizing the Mayor and the Acting City Clerk, as attesting witness, on behalf of the City, to enter into a lease agreement between the City, as landlord, and Miami-Dade County, Florida, Department of Human Services, as tenant, for use of office space, rooms 103, 104, 105, 106, 109 and 110, at the Blanche Morton Neighborhood Service Center, located at 300 East 1 Avenue, Hialeah, Florida, for a period of one year, commencing on December 1, 2013 and ending on November 30, 2014, for an annual amount of \$9,439.50, payable in equal monthly rental payments, in the form as attached hereto as Exhibit "1", with two successive annual renewals with a 5% rental increase for each year renewed; providing penalties for violation hereof; providing for a severability clause and providing for an effective date. (PURCHASING DIV.) **APPROVED (7-0) ORDINANCE NO. 2013-67**

Motion to approve made by Councilwoman Cue-Fuente and seconded by Councilwoman Casáls-Muñoz. MOTION PASSED (7-0)

6. Second reading and public hearing of proposed ordinance authorizing the Mayor and the Acting City Clerk, as attesting witness, on behalf of the City, to enter into a lease agreement between the City, as landlord, and Miami-Dade County, Florida, Community Action Agency, as tenant, for use of office space, room 126, at the Blanche Morton Neighborhood Service Center, located at 300 East 1 Avenue, Hialeah, Florida, for a period of one year, commencing on October 1, 2013 and ending on September 30, 2014, for an annual amount of \$12,770.92, payable in equal monthly rental payments, with two successive one-year renewals with a 5% increase in rent for each renewal period, in the form as attached hereto as Exhibit "1"; providing penalties for violation hereof; providing for a severability clause and providing for an effective date. (PURCHASING DIV.) **APPROVED (7-0) ORDINANCE NO. 2013-68**

Motion to approve made by Councilman Hernandez and seconded by Councilwoman Casáls-Muñoz. MOTION PASSED (7-0)

7. Second reading and public hearing of proposed ordinance authorizing the Mayor and the Acting City Clerk, as attesting witness, on behalf of the City, to enter into a lease agreement between the City, as landlord, and S.A.B.E.R., Inc., as tenant, for use of 590 square feet of office space, rooms 208 and 209, at the Blanche Morton Neighborhood Service Center, located at 300 East 1 Avenue, Hialeah, Florida, for a period of one year, commencing on October 1, 2013 and ending on September 30, 2014, for an annual amount of \$6,829.98, payable in equal monthly rental payments, in the form as attached hereto as Exhibit "1", with two successive annual renewals with a 5% increase in annual rent for each renewal period; providing penalties for violation hereof; providing for a severability clause and providing for an effective date. (PURCHASING DIV.) **APPROVED (7-0) ORDINANCE NO. 2013-69**

Motion to approve made by Council Vice President Gonzalez and seconded by Councilwoman Casáls-Muñoz. MOTION PASSED (7-0)

8. Second reading and public hearing of proposed ordinance of the Mayor and the City Council of the City of Hialeah, Florida authorizing granting an easement to Miami-Dade County to construct, reconstruct, lay, install, operate, maintain, relocate, repair, replace, improve, remove and inspect water transmission and distribution facilities at Pump Station 200 fronting the south side of West 80 Street, Hialeah, Florida, in an area having 1,867 square feet, more or less, and more particularly described in the surveyor's sketch attached hereto and made a part hereof as Exhibit "1". (WATER AND SEWERS DEPT.) **APPROVED (7-0) ORD 2013-70**

Motion to approve made by Councilwoman Casáls-Muñoz and seconded by Councilwoman Cue-Fuente. MOTION PASSED (7-0)

9. Second reading and public hearing of proposed ordinance initiating and requesting a proposed boundary change of the City of Hialeah, Florida, in order to annex property bearing the legal description contained in Composite Exhibit "1"; authorizing the Mayor and the Acting City Clerk and other proper city officers and officials to take any and all

actions as may be necessary to submit a request for the proposed boundary change to the Board of County Commissioners of Miami-Dade County, Florida; and authorizing the Acting City Clerk to transmit copies of this ordinance to the Clerk of the County Commission; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (ADMINISTRATION) **APPROVED (7-0) ORDINANCE NO. 2013-71**

Motion to approve made by Councilwoman Casáls-Muñoz and seconded by Councilman Hernandez. MOTION PASSED (7-0)

10. First reading of proposed ordinance granting a 10-foot wide easement to Florida Power & Light Company, a Florida Corporation, for construction, repair and replacement of its facilities in order to serve the 35-Unit Affordable Housing Project for the elderly, in substantially the form as attached as Exhibit "1". **The 10-foot wide easement situated inside property located at 355 East 32 Street, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (ADMINISTRATION) **APPROVED 7-0**

Motion to approve made by Council Vice President Gonzalez and seconded by Councilwoman Cue-Fuente. MOTION PASSED (7-0)

11. Comments and Questions-

- a. **Mayor Hernandez stated that he was pleased to see Hialeah present at the Council Meeting in support of the of the El Duque baseball program. He also stated that in the City of Hialeah we are a family which supports kids and the elderly. Mayor Hernandez also stated that the actions of everyone present in the audience speak louder than words. Mayor Hernandez also thanked the media who was present.**
- b. **Council Vice President Gonzalez thanked everyone for being present and stated that he was glad to see each and every one of them was expressing their voice.**
- c. **Councilwoman Casals-Muñoz welcomed the opinions and comments of all in the audience, including those parents who sacrifice their time to take their kids to the parks.**
- d. **Councilman Hernandez stated that he is proud to see all seats full in the Council Chamber, and further stated that he approved the El Duque baseball program after he saw the smile of all the participants in the parks.**
- e. **Council President Garcia-Martinez stated that the program is not for the wealthy, but instead a program that allows kids to train with El Duque. She thanked the parents for supporting their kids during tough economic times.**
- f. **Juan Santana, 1190 West 56 Street, Hialeah, FL asked a question regarding the park being opened when it is being used by El Duque.**

- g. Luis Estrada, 617 East 18 Street, Hialeah, FL, spoke in favor of the baseball program.
- h. Miguel Dieguez, 4675 West 18 Court, Hialeah, FL, spoke in favor of the baseball program.
- i. Zolia Ortiz, 2735 West 52 Street, Apt. 501, Hialeah, FL, spoke in favor of the baseball program.
- j. Ranses Valdes, who lives in the southwest area, spoke in favor of the baseball program.
- k. Jona Rivelto, 16911 SW 24 Court, spoke in favor of the baseball program.
- l. Maria Castellanos, 9010 NW 145 Street, Miami Lakes, FL, spoke in favor of the baseball program.
- m. Sebastian Llanes, who resides in Doral, spoke in favor of the baseball program.
- n. Mario Miralles, 195 Florence Circle, Tennessee, spoke in defense of his son, Marcos, Miralles, candidate for Council Member group 6.
- o. Mario Hernandez, 2480 SW 3 Street, spoke in favor of the baseball program.
- p. Ana Alvarez, 6172 West 15 Court, Hialeah, FL, spoke in favor of the baseball program.
- q. Juan Santana, 1190 West 56 Street, addressed the Council regarding Public Records Requests.

Administration of Oath to all applicants and anyone who will be speaking before the City Council on any Zoning, Land Use or Final Decision item.

All were duly sworn in.

Attention Applicants: Items approved by the City Council are subject to the Mayor's approval or veto. The Mayor may withhold his signature or veto the item. If the Mayor's signature is withheld, the item is not effective until the next regularly scheduled meeting. If the Mayor vetoes the item, the item is rejected unless the Council overrides the veto at the next regular meeting.

ZONING

PZ 1. Second reading and public hearing of proposed ordinance granting a Special Use Permit (SUP) to allow storage, repair and sales of vending machines on property zoned C-1 (Restricted Retail Commercial District). **Property located at 925-955 Hialeah Drive, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing

for an effective date. (*Applicant: Reinaldo Alvarez*) **APPROVED (7-0) ORDINANCE NO. 2013-72**

Motion to approve made by Councilwoman Cue-Fuente and seconded by Councilwoman Casal-Muñoz. MOTION PASSED (7-0)

- PZ 2.** Second reading and public hearing of proposed ordinance granting a Special Use Permit (SUP) to allow the operation of a Construction Debris Transfer Station on property zoned M-3 (Industrial District). **Property located at 2500 West 3 Court, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Agustin Exposito*) **APPROVED (7-0) ORDINANCE NO. 2013-73**

Motion to approve made by Councilwoman Casal-Muñoz and seconded by Councilwoman Cue-Fuente. MOTION PASSED (7-0)

- PZ 3.** Second reading and public hearing of proposed ordinance rezoning property from R-1 (One Family District) to M-1 (Industrial District). **Property located at 900 East 56 Street, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: City of Hialeah*) **APPROVED (7-0) ORDINANCE NO. 2013-74**

Motion to approve made by Councilwoman Casal-Muñoz and seconded by Councilwoman Cue-Fuente. MOTION PASSED (7-0)

- PZ 4.** Recommendation of denial from the Planning and Zoning Official for a Special Use Permit (SUP) to allow the usage of a cooking oil recycling plant on property zoned M-1 (Industrial District), and for granting a variance permit to allow all existing parking spaces to back-out in the street, only allowed in low density residential districts; waive all of the City of Hialeah Landscape Manual requirements, which include 7' landscape buffer between the off-street parking and the right-of-way; one tree per 35 linear feet of right-of-way perimeter and on tree for each 80 square feet of landscaped area. Property located at **4480 East 11 Avenue, Hialeah.** (*Applicant: Frantz Turnier*) (*ITEM WAS TABLED on September 10, 2013*) **APPROVED (7-0)**

Felix Lasarte, Esq., 3250 NE 1st Avenue, Suite 334, addressed the council in representation of the applicant.

Adam, Kimley Horn and Associates, 1920 Wekiva Way, West Palm Beach, FL, gave his professional opinion on the impact of traffic in the area.

Bob Speed, 7700 North Kendall Drive, Miami, FL, 33156, of SCS Consulting gave his professional opinion regarding the type of business posing a threat to the environment.

Jorge Navarro, 3250 NE 1st Avenue, Suite 334, addressed the council in representation of the applicant.

Ruben Suarez, Licensing Official, 501 Palm Avenue, Hialeah, FL, addressed the council regarding past citation for operating without a license.

Barry Sharp, 1060 East 33 Street, Hialeah, FL, spoke in opposition to the approval of the item.

Mason Sharp, 1060 East 33 Street, Hialeah, FL, spoke in opposition to the approval of the item.

Dennis L. Williams, 9401 NW 106 Street, spoke in opposition to the approval of the item.

Brian Sharp, 1060 East 33 Street, Hialeah, FL, spoke in opposition to the approval of the item.

Motion to Remove from Table made by Councilwoman Casal-Muñoz and seconded by Councilwoman Cue-Fuente. MOTION PASSED (7-0)

Motion to override the denial and approve to bring back before the City Council as an Ordinance made by Council Vice President Gonzalez and seconded by Councilwoman Casal-Muñoz. MOTION PASSED (7-0)

- PZ 5.** First reading of proposed ordinance rezoning property from R-1 (One Family Residential District) to R-2 (One and Two Family Residential District) and granting a Variance Permit to allow a lot coverage of 33%, where a maximum of 30% is allowed, and to allow a rear setback of 20.71 feet, where 25 feet are required, contra to Hialeah Code §§ 98-547(a) and 98-2056(b) (2). **Property located at 701 East 24 Street, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Raimundo Bocanegra and Jennie Bocanegra*) **APPROVED (7-0)**

Motion to approve made by Councilwoman Cue-Fuente and seconded by Councilwoman Casal-Muñoz. MOTION PASSED (7-0)

- PZ 6.** Recommendation of denial from the Planning and Zoning Official for a variance permit to allow a total lot coverage of 38% (maximum of 30% required); west side setback of 6.9' for existing residence and east side setback of 3.9', for open terrace (7.5' required for each). Property located at **333 East 15 Street, Hialeah** zoned R-2 (One and Two Family Residential District). (*Applicant: Maria T. Vergaras and Miguel A. Perez*) **ITEM WAS TABLED on September 10, 2013) NO ACTION NECESSARY. ITEM WILL REMAIN ON TABLE UNTIL OCTOBER 8, 2013, PER APPLICANT'S REQUEST.**

NEXT CITY COUNCIL MEETING: October 8, 2013 at 7:00 P.M.

NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: November 26, 2013 at 6:30 p.m.

Anyone wishing to obtain a copy of an agenda item should contact the Office of the City Clerk at (305) 883-5820 or visit at 501 Palm Avenue, 3rd Floor, Hialeah, Florida, between the hours of 8:30 a.m. and 5:00 p.m.

Persons wishing to appeal any decision made by the City Council, with respect to any matter considered at the meeting, will need a record of the proceedings and, for such purposes, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

An ordinance or resolution shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto. If the Mayor's veto is sustained, the affected ordinance or resolution does not become law and is deemed null and void.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 883-5820 for assistance no later than seven (7) days prior to the proceeding; if hearing impaired you may telephone the Florida Relay Service at (800) 955-8771 (TDD), (877) 955-8773 (Spanish) or (800) 955-8770 (Voice).